

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No. 17475US02)

In the Application of:

Akira Yamanaka, et al.

U.S. Patent: 7,873,128

Issue Date: January 18, 2011

Serial No.: 10/773,610

Filed: February 6, 2004

For: METHOD AND SYSTEM FOR
EQUALIZATION IN A
COMMUNICATIONS SYSTEM

Examiner: Emmanuel Bayard

Group Art Unit: 2611

Confirmation No.: 7768

Electronically filed 09-MAR-2011

**APPLICATION FOR RECONSIDERATION OF THE
PATENT TERM ADJUSTMENT UNDER 35 U.S.C. § 154(b)
INDICATED IN THE PATENT (37 CFR § 1.705(d))**

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

The Applicant respectfully requests reconsideration of the patent term adjustment indicated on the cover page of the patent (the "patent PTA decision"), to the extent indicated in the following discussion and the enclosed modified version of the current USPTO Patent Term Adjustment calculation on PAIR (the "Spreadsheet"). The spreadsheet and the total PTAs indicated in this paper also reflect aspects of the current USPTO Patent Term Adjustment calculation on PAIR that have already been the subject of an earlier request for recalculation under 37 CFR § 1.705(b).

This application for reconsideration of the patent PTA decision is being filed within two months after the patent issue date.

This application for reconsideration of the patent PTA decision is accompanied by the fee set forth in § 1.18(e) (\$200).

This application for reconsideration of the patent PTA decision includes below a statement of the facts involved in sufficient detail to allow the United States Patent and Trademark Office (USPTO) to reach the correct patent term adjustment respecting the disputed items that arose after allowance.

The Applicant's calculation shows that the correct patent term adjustment, accounting for previously disputed and presently disputed items, should be 1641 days.

The bases under § 1.702 and 37 CFR § 1.705(d) for the adjustment are as follows.

Positive Patent Term Adjustment

Three Year Guarantee (35 USC § 154(b)(1)(B))

The following calculation of the patent term adjustment under the three year guarantee (35 USC § 154(b)(1)(B)), first presented after the issue date of the patent, is timely because:

The USPTO does not calculate and inform the Applicant of the patent term adjustment based upon the three-year pendency provision of 35 U.S.C. § 154(b)(1)(B) in the notice of allowance because the USPTO must know the date the patent will issue to be able to calculate the patent term adjustment based upon this provision. Thus, reconsideration of the patent term adjustment indicated in the patent as it relates to the three-year pendency provision of 35 U.S.C. § 154(b)(1)(B) is not considered a matter that could have been raised in an application for patent term adjustment under 37 CFR 1.705(b) (provides for reconsideration of the patent term adjustment indicated in the notice of allowance). Therefore, a request for reconsideration of the patent term adjustment calculation based on the three-year pendency provision of 35 U.S.C. § 154(b)(1)(B) will be considered timely under 37 CFR 1.705(d) if filed within two months of the date the patent issued.

1347 OG 49 (*Notice Concerning Calculation of the Patent Term Adjustment under 35 U.S.C. § 154(b)(1)(B) involving International Applications Entering the National Stage Pursuant to 35 U.S.C. § 371*), October 6, 2009.

The USPTO calculation of the patent term adjustment under the three-year deadline for issuing a patent after its filing date was 948 days. The Applicant disagrees with this determination because the patent term adjustment on this ground should instead be 1063 days, minus 23 days consumed by an appeal, for a net adjustment of 1040 days.

Specifically, the enclosed modified version of the USPTO Patent Term Adjustment calculation on PAIR shows that:

- the actual filing date of the application was February 6, 2004;
- the third anniversary of the actual filing date was February 6, 2007;
- the first request for continued examination of the application (RCE) under 35 USC 132(b) was filed on January 4, 2010; and
- the first RCE was filed 1063 days after the third anniversary of the actual filing date, which is the appropriate patent term adjustment on this ground.

The USPTO has established a rule respecting the endpoint of the delay under the three-year rule resulting from the filing of a request for continued examination ("RCE"): 37 CFR § 1.703(b), which states:

The period of adjustment under § 1.702(b) is the number of days, if any, in the period beginning on the day after the date that is three years after the date on which the application was filed under 35 U.S.C. 111(a) or the national stage commenced under 35 U.S.C. 371(b) or (f) in an international application and ending on the date a patent was issued, but not including the sum of the following periods:

(1)The number of days, if any, in the period beginning on the date on which a request for continued examination of the application under 35 U.S.C. 132(b) was filed and ending on the date the patent was issued.

In short, the USPTO's position on this point is effectively that the patent term adjustment under the Three Year Guarantee (35 USC § 154(b)(1)(B)) ends on the

day before the first RCE is filed. The rationale is that the day the RCE is filed is Day 1 that the patent term adjustment has stopped accumulating.

The Applicant respectfully submits that this position is inconsistent with the statute and other USPTO calculations based on events that interrupt the accumulation of patent term adjustments.

First addressing consistency with the statute, the USPTO has determined that time for purposes of assessing a PTA is calculated in two ways: one way when the statute calls for calculation of a delay or interval between two events, and the other way when the statute calls for calculation of the number of days on which a proceeding is pending. This differentiation between the two calculations is understood to turn on the words of the statute. The only part of the statute that calls for a determination of the number of days on which a proceeding is pending is 35 USC § 154(b)(1)(C), which states:

35 USC § 154(b)(1)(C) GUARANTEE OR ADJUSTMENTS FOR DELAYS DUE TO INTERFERENCES, SECRECY ORDERS, AND APPEALS. Subject to the limitations under paragraph (2), if the issue of an original patent is delayed due to-

(i) a proceeding under section 135(a);

(ii) the imposition of an order under section 181; or

(iii) appellate review by the Board of Patent Appeals and Interferences or by a Federal court in a case in which the patent was issued under a decision in the review reversing an adverse determination of patentability, the term of the patent shall be extended 1 day for each day of the pendency of the proceeding, order, or review, as the case may be.

To provide a simple example, if an appeal were filed on Monday and decided on Friday, the appellate review was pending on Monday, Tuesday, Wednesday, Thursday, and Friday, thus on five days.

In contrast, the part of the statute relevant to an RCE capping the accrual of a PTA under the three year guarantee is 35 USC § 154(b)(1)(B), which states:

35 USC § 154(b)(1)(B) GUARANTEE OF NO MORE THAN 3-YEAR APPLICATION PENDENCY.- Subject to the limitations under paragraph (2), if the issue of an original patent is delayed due to the failure of the United States Patent and Trademark Office to issue a patent within 3 years after the actual filing date of the application in the United States, not including-

- (i) any time consumed by continued examination of the application requested by the Applicant under section 132(b);
- (ii) any time consumed by a proceeding under section 135(a), any time consumed by the imposition of an order under section 181, or any time consumed by appellate review by the Board of Patent Appeals and Interferences or by a Federal court; or
- (iii) any delay in the processing of the application by the United States Patent and Trademark Office requested by the Applicant except as permitted by paragraph (3)(C),

the term of the patent shall be extended 1 day for each day after the end of that 3-year period until the patent is issued.

Reverting again to the above simple example, if an appeal were filed on Monday and decided on Friday, the "time consumed by appellate review" is calculated by setting Monday equal to Day 0, Tuesday equal to Day 1, Wednesday equal to Day 2, Thursday equal to Day 3, and Friday equal 4, thus an elapsed time of FOUR, days, not FIVE as in the preceding example that called for calculation of the number of days a proceeding was pending. In other words, "time consumed by appellate review" calls for the almost universal system for calculation of deadlines in courts and the USPTO, where the starting event from which the deadline is calculated is Day 0, and the succeeding days are assigned consecutive numbers until the day the deadline is reached.

The "time consumed by continued examination," like the "time consumed by [an appeal, an interference, or a secrecy order]," all under 35 USC § 154(b)(1)(B), is expressed in different words than "each day of the pendency of the proceeding order, or review," all under the provisions of 35 USC § 154(b)(1)(C), thus these two expressions in different parts of the same statutory section can be assumed to have different meanings as explained above.

In most situations, this is how the USPTO interprets the statute. For example, again based on USPTO petition practice experienced by the Applicant, when an appeal is prosecuted in an application that was pending more than three years, the USPTO subtracts appeal time from accrual of time under the three year guarantee by treating the date the Notice of Appeal is filed as Day 0, the date n days later when the appeal decision is mailed as Day n, simply determines that the appeal has been pending for n days, and subtracts n from the accrued time under the 3-year rule. To calculate the PTA accrued due to the prosecution of a successful appeal, however, the USPTO treats the starting date as Day 1, the date n days later when the appeal decision is mailed as Day n + 1, and determines that there were n+1 days on which the appeal was pending, and that is the PTA for appeal delay.

Now addressing consistency with other calculations, the subtraction from the three-year guarantee for an RCE is based on 35 USC § 154(b)(1)(B)(i), which calls for a subtraction based on "(i) any time consumed by continued examination of the application requested by the Applicant under section 132(b)." The subtraction from the three-year guarantee for an appeal is based on parallel language of 35 USC § 154(b)(1)(B)(ii), which calls for a subtraction based on "(ii) ... any time consumed by appellate review by the Board of Patent Appeals and Interferences." This parallel language calls for RCE subtraction and appeal subtraction to be based on the same method of time computation. But they are not.

As pointed out above, the filing date of an RCE is counted as Day 1 of reduction of PTA, so time stops accruing on the three-year guarantee the day before the RCE is filed. But the filing date of a Notice of Appeal is counted as Day 0 of reduction of PTA, so time stops accruing on the three-year guarantee the day the Notice of Appeal is filed. These positions are inconsistent interpretations of the same statutory language. The RCE computation is in error because the statute calls for routine computation of time in both situations, with the starting day of a period counted as Day 0, while the USPTO position is that the day the RCE is filed is Day 1.

Another example of an inconsistency resulting from ending the three-year delay the day before the first RCE was filed is the following. The patent term

adjustment under the Three Year Guarantee permanently stops accruing or is "capped" in two situations: when the patent issues or when the first RCE is filed. Based on experience with other patent term adjustment calculations, the Applicant understands the USPTO policy respecting issue of the patent is that the issue date of the patent is Day 0 that the patent term adjustment stops accruing. In other words, the PTA on this ground is capped on the day the patent issues, not the day before the patent issues. Exactly analogously to the issue date of the patent, the date an RCE is filed is a triggering event that caps the PTA. No reason is apparent why the issue date of a patent is Day 0 on which the PTA has been capped and the filing date of an RCE is day 1 after the PTA has been capped.

For these reasons, the USPTO policy for calculation of the effect of filing an RCE on accrual of the three-year guarantee is in error, and provides a PTA one day shorter than it should be. Correction is respectfully requested.

The patent term adjustment under the three-year rule was reduced by an appeal taking place before the first Request for Continued Examination (if any) was filed.

- review by the Board or a Federal court began on the date the Notice of Appeal was filed, i.e. November 27, 2007;
- the time consumed by review by the Board or a Federal court, before the first Request for Continued Examination (if any) was filed, ended on the earliest of (1) a Board of Patent Appeals and Interferences decision, a Federal court decision, or a Board remand, or (2) the date prosecution was reopened, or (3) the date of filing of the first Request for Continued Examination, i.e. December 20, 2007, after an interval of 23 days; and
- The patent term adjustment under the three-year rule of 1063 days, reduced by appeal time of 23 days, is thus 1040 days.

Reductions in Patent Term Adjustment

Removing Overlap

- Two or more grounds of delay overlap from February 6, 2007, to March 20, 2007, totaling 42 days of delay.
- Two or more grounds of delay overlap from February 22, 2008, to March 19, 2008, totaling 26 days of delay.

This overlap has been subtracted from the patent term adjustment in the enclosed modified version of the USPTO Patent Term Adjustment calculation on PAIR.

Incorrect PTA Reduction Calculation for Paper After Allowance

37 CFR § 1.704(c)(10)

The Applicant is contesting the following application(s) of 37 CFR § 1.704(c)(10) to reduce the patent term adjustment in the present application due to a paper filed after the Notice of Allowance has been mailed.

The USPTO is believed to be characterizing the Amendment after Notice of Allowance (Rule 312) filed on September 30, 2010, as a paper delaying prosecution. The USPTO is believed to be characterizing the paper mailed by the USPTO on December 9, 2010, as a response to this paper. The reduction of PTA asserted by the USPTO is 71 days.

The Applicant's position is that this determination is incorrect. The correct amount of reduction is submitted by the Applicant to be 70 days, which is the difference between the correct filing and mailing dates stated above, but not exceeding four months.

The USPTO has established a rule respecting the beginning of the delay resulting from the filing of certain papers after allowance. The rule is 37 CFR § 1.704(c)(10), which states:

(c) Circumstances that constitute a failure of the Applicant to engage in reasonable efforts to conclude processing or examination of an application also include the following circumstances,

* * *

(10) Submission of an amendment under § 1.312 or other paper after a notice of allowance has been given or mailed, in which case the period of adjustment set forth in § 1.703 shall be reduced by the lesser of:

- (i)The number of days, if any, beginning on the date the amendment under § 1.312 or other paper was filed and ending on the mailing date of the Office action or notice in response to the amendment under § 1.312 or such other paper; or
- (ii)Four months....

In short, the USPTO's position on this point is effectively that the patent term adjustment is one day longer than the difference in days between the date the post-allowance paper was filed and the date on which the USPTO responds. The rationale is that the day the paper is filed is Day 1 that the patent term adjustment has stopped accumulating.

The Applicant respectfully submits that this position is inconsistent with the statute and other USPTO calculations based on events that reduce an accrued patent term adjustment.

The only part of the statute that calls for a determination of the number of days on which a proceeding is pending, as opposed to the difference between two dates, is 35 USC § 154(b)(1)(C), which states:

35 USC § 154(b)(1)(C) GUARANTEE OR ADJUSTMENTS FOR DELAYS DUE TO INTERFERENCES, SECRECY ORDERS, AND APPEALS.- Subject to the limitations under paragraph (2), if the issue of an original patent is delayed due to-

- (i) a proceeding under section 135(a);
- (ii) the imposition of an order under section 181; or
- (iii) appellate review by the Board of Patent Appeals and Interferences or by a Federal court in a case in which the patent was issued under a decision in the review reversing an adverse determination of patentability, the term of the patent shall be extended 1 day for each day of the pendency of the proceeding, order, or review, as the case may be.

In contrast, the USPTO calculates all other patent term adjustments based on USPTO delays specified by the statute, for example under the 4-month, 14-month, and 3-year rules, by taking the difference between the beginning and end dates,

without adding an extra day, thus counting the beginning date as day zero. The USPTO also calculates most reductions in patent term adjustment in the same manner, for example the reduction under the three-year rule for prosecution of an appeal. Thus, the patent term adjustments for successful appeals, secrecy orders, and interferences under 35 USC § 154(b)(1)(C) are the only exceptions to the usual rule of computation of statutory periods, which is that the day on which the period begins is day 0, and the period is computed by taking the difference between the day on which the period ends and the day on which it begins.

Reverting again to the above simple example, if an appeal were filed on Monday and decided on Friday, the "time consumed by appellate review" subtracted from the delay calculated under the three-year rule is calculated by setting Monday equal to Day 0, Tuesday equal to Day 1, Wednesday equal to Day 2, Thursday equal to Day 3, and Friday equal 4, thus an elapsed time of FOUR, days, not FIVE as in the preceding example that called for calculation of the number of days a proceeding was pending. In other words, "time consumed by appellate review" subtracted from the delay calculated under the three-year rule calls for the almost universal system for calculation of deadlines in courts and the USPTO, where the starting event from which the deadline is calculated is Day 0, and the succeeding days are assigned consecutive numbers until the day the deadline is reached.

For these reasons, the USPTO policy for calculation of the effect of filing an post-allowance paper on accrual of the three-year guarantee is in error, and provides a PTA one day shorter than it should be. Correction is respectfully requested.

Net Patent Term Adjustment

The changes requested by the Applicant to the USPTO patent term adjustment determination in the patent PTA decision are as follows:

Positive Patent Term Adjustment

- Three Year Guarantee
(35 USC § 154(b)(1)(B))

	Patent Term Adjustment (days)
USPTO Calculation	948
Applicant Calculation	1040

Reductions in Patent Term Adjustment

- Removing Overlap

	Patent Term Adjustment (days)
USPTO Calculation	26
Applicant Calculation	68

- Incorrect PTA Reduction Calculation for Paper After Allowance
37 CFR § 1.704(c)(10)

	Patent Term Adjustment (days)
USPTO Calculation	71
Applicant Calculation	70

Conclusion

The Applicant requests modification of the patent term adjustment as indicated above. As shown in the enclosed modified version of the USPTO Patent Term Adjustment calculation on PAIR, the patent term adjustment proposed by the Applicant is thus 1641 days.

Please charge any fees or credit any overpayment of fees presently required to McAndrews, Held & Malloy, Ltd., Deposit Account No. 13-0017.

Respectfully submitted,

McANDREWS, HELD & MALLOY, LTD.

Date: 09-MAR-2011

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PATENT TERM ADJUSTMENT SPREADSHEET

Ser. No. 10/773610

Docket No. 17475US02

USPTO CALCULATION				PTO Delay		APPLICANT'S CALCULATION	
DATE	EVENT	PTO Delay	Appl. Delay	PTO Delay	Appl. Delay	PTO Delay	Appl. Delay
1/18/2011	Patent Grant date						
12/14/2010	Export to Final Data Capture						
12/13/2010	Dispatch to FDC						
12/9/2010	Mail Response to 312 Amendment (PTO-271)					70.00	
12/7/2010	Response to Amendment under Rule 312						
12/2/2010	Mail-Petition Decision - Dismissed						
12/2/2010	Petition Decision - Dismissed						
10/4/2010	Application is Considered						
10/4/2010	Ready for Issue						
9/30/2010	Amendment after Notice of Allowance (Rule 312)					71	
9/30/2010	Response to Reasons for Allowance						
9/30/2010	Statement Filed Indicating a Loss of Entitlement to Small Entity Status						
9/30/2010	Issue Fee Payment Verified						
9/30/2010	Petition Entered						
9/30/2010	Issue Fee Payment Received						

8/30/2010	Finished Initial Data Capture		
7/13/2010	Export to Initial Data Capture		
7/9/2010	Mail Notice of Allowance		
7/8/2010	Notice of Allowance Data Verification Completed		
7/8/2010	Issue Revision Completed		
7/8/2010	Document Verification		
7/8/2010	Allowability Notice		
5/7/2010	Date Forwarded to Examiner Response after Non-Final Action		
4/29/2010	Mail Non-Final Rejection		
1/29/2010	Non-Final Rejection		
1/7/2010	Date Forwarded to Examiner Disposal for a RCE / CPA / R129		
1/7/2010	Amendment Submitted/Entered with Filing of CPA/RCE		
1/4/2010	Request for Continued Examination (RCE)		
1/4/2010	Workflow - Request for RCE - Begin		
1/3/2010	PTIA 36 Months	948	
10/30/2009	Mail Final Rejection (PTOL - 326)		
10/29/2009	Final Rejection		
9/3/2009	Date Forwarded to Examiner		

		Response after Non-Final Action	
7/8/2009		Mail Non-Final Rejection	
4/8/2009		Non-Final Rejection	
4/7/2009			
2/11/2009	Date Forwarded to Examiner Action	Response after Non-Final Action	
1/9/2009	Mail Non-Final Rejection		
10/10/2008	Non-Final Rejection		
10/9/2008			
7/29/2008	Date Forwarded to Examiner Action	Response after Non-Final Action	
6/19/2008	Mail Non-Final Rejection	26	
3/19/2008	Non-Final Rejection		
2/25/2008			
2/22/2008	Four months after response		
12/20/2007	Date Forwarded to Examiner		
	Mail Appeals conf. Reopen Prosec.		
12/20/2007			
12/19/2007	Pre-Appeals Conference Decision - Reopen Prosecution		
	Request for Pre-Appeal Conference Filed		
11/27/2007	Notice of Appeal Filed		
11/27/2007	Mail Advisory Action (PTOL - 303)		
10/30/2007			
10/29/2007	Advisory Action (PTOL-303)		

10/23/2007	Date Forwarded to Examiner Amendment after Final Rejection		
10/22/2007	Mail Final Rejection (PTOL - 326) Final Rejection		
8/30/2007	Date Forwarded to Examiner New or Additional Drawing Filed		
8/28/2007	Response after Non-Final Action	713	
6/25/2007	Mail Non-Final Rejection		
6/19/2007	Non-Final Rejection Case Docketed to Examiner in GAU		
6/19/2007	Three year date Correspondence Address Change		
6/19/2007	Change in Power of Attorney (May Include Associate POA) Case Docketed to Examiner in GAU		
2/27/2007	Case Docketed to Examiner in GAU		
2/27/2007	IFW TSS Processing by Tech Center Complete		
7/11/2006	Case Docketed to Examiner in GAU		
7/11/2006	Transfer Inquiry to GAU		
3/21/2006	14 month date		
11/17/2005			
6/20/2005			
6/20/2005			
4/6/2005			
9/5/2004			

8/3/2004	Application Return from OIPE					
8/3/2004	Application Return TO OIPE					
8/3/2004	Application Is Now Complete					
8/2/2004	Application Dispatched from OIPE					
8/2/2004	Additional Application Filing Fees					
7/6/2004	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applicant					
7/6/2004	Notice Mailed--Application Incomplete--Filing Date Assigned					
5/7/2004	Cleared by OIPE CSR					
3/17/2004	CASE CLASSIFIED BY OIPE					
3/17/2004	IFW Scan & PACR Auto					
2/19/2004	Security Review					
2/6/2004	Filing date					
	PTO Overlap	-26				
	PTO (Days)	APPL (Days)	APPL (Days)			
	1661	71	1711			
			70			
PTA	>>>>>>>>>	1590 Days	1641 Days			
		USPTO CALCULATION	APPLICANT'S CALCULATION			

10/773,610	METHOD AND SYSTEM FOR EQUALIZATION IN A COMMUNICATIONS SYSTEM	02-28-2011::15:00:48
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Patent Term Adjustments

Patent Term Adjustment (PTA) for Application Number: 10/773,610

Filing or 371(c) Date:	02-06-2004	Overlapping Days Between {A and B} or {A and C}:	26
Issue Date of Patent:	01-18-2011	Non-Overlapping USPTO Delays:	1661
A Delays:	739	PTO Manual Adjustments:	0
B Delays:	948	Applicant Delays:	71
C Delays:	0	Total PTA Adjustments:	1590

Patent Term Adjustment History Explanation Of Calculations

Number	Date	Contents Description	PTO (Days)	APPL (Days)	Start
98.5	01-03-2010	PTA 36 Months	948		0.5
98	01-18-2011	Patent Issue Date Used in PTA Calculation			0
97	12-14-2010	Export to Final Data Capture			0
96	12-13-2010	Dispatch to FDC			0
95	12-09-2010	Mail Response to 312 Amendment (PTO-271)			0
94	12-07-2010	Response to Amendment under Rule 312			0
93	12-02-2010	Mail-Petition Decision - Dismissed			0
92	12-02-2010	Petition Decision - Dismissed			0
91	09-30-2010	Amendment after Notice of Allowance (Rule 312)		71	95
90	09-30-2010	Response to Reasons for Allowance			0
89	10-04-2010	Application Is Considered Ready for Issue			0
88	09-30-2010	Statement Filed Indicating a Loss of Entitlement to Small Entity Status			0
87	09-30-2010	Issue Fee Payment Verified			0
86	09-30-2010	Petition Entered			0
85	09-30-2010	Issue Fee Payment Received			0
84	08-30-2010	Finished Initial Data Capture			0
83	07-13-2010	Export to Initial Data Capture			0
82	07-09-2010	Mail Notice of Allowance			0

81	07-08-2010	Notice of Allowance Data Verification Completed	0
80	07-08-2010	Issue Revision Completed	0
79	07-08-2010	Document Verification	0
78	07-08-2010	Allowability Notice	0
73	05-07-2010	Date Forwarded to Examiner	0
72	04-29-2010	Response after Non-Final Action	0
71	01-29-2010	Mail Non-Final Rejection	0
70	01-29-2010	Non-Final Rejection	0
67	01-07-2010	Date Forwarded to Examiner	0
66	01-04-2010	Amendment Submitted/Entered with Filing of CPA/RCE	0
65	01-04-2010	Request for Continued Examination (RCE)	0
64	01-07-2010	Disposal for a RCE / CPA / R129	0
63	01-04-2010	Workflow - Request for RCE - Begin	0
62	10-30-2009	Mail Final Rejection (PTOL - 326)	0
61	10-29-2009	Final Rejection	0
58	09-03-2009	Date Forwarded to Examiner	0
57	07-08-2009	Response after Non-Final Action	0
56	04-08-2009	Mail Non-Final Rejection	0
55	04-07-2009	Non-Final Rejection	0
52	02-11-2009	Date Forwarded to Examiner	0
51	01-09-2009	Response after Non-Final Action	0
50	10-10-2008	Mail Non-Final Rejection	0
49	10-09-2008	Non-Final Rejection	0
46	07-29-2008	Date Forwarded to Examiner	0
45	06-19-2008	Response after Non-Final Action	0

44	03-19-2008	Mail Non-Final Rejection	26	29
43	02-25-2008	Non-Final Rejection		0
38	12-20-2007	Date Forwarded to Examiner		0
37	12-20-2007	Mail Appeals conf. Reopen Prosec.		0
36	12-19-2007	Pre-Appeals Conference Decision - Reopen Prosecution		0
35	11-27-2007	Request for Pre-Appeal Conference Filed		0
34	11-27-2007	Notice of Appeal Filed		0
33	10-30-2007	Mail Advisory Action (PTOL - 303)		0
32	10-29-2007	Advisory Action (PTOL-303)		0
30	10-23-2007	Date Forwarded to Examiner		0
29	10-22-2007	Amendment after Final Rejection		0
28	08-30-2007	Mail Final Rejection (PTOL - 326)		0
27	08-28-2007	Final Rejection		0
24	06-19-2007	New or Additional Drawing Filed		0
23	06-25-2007	Date Forwarded to Examiner		0
22	06-19-2007	Response after Non-Final Action		0
21	03-20-2007	Mail Non-Final Rejection	713	0.5
20	03-19-2007	Non-Final Rejection		0
19	02-27-2007	Case Docketed to Examiner in GAU		0
18	07-11-2006	Correspondence Address Change		0
17	07-11-2006	Change in Power of Attorney (May Include Associate POA)		0
16	03-21-2006	Case Docketed to Examiner in GAU		0
15	11-17-2005	Case Docketed to Examiner in GAU		0
14	06-20-2005	IFW TSS Processing by Tech Center Complete		0
13	06-20-	Case Docketed to Examiner in GAU		0

	2005		
12	09-05-2004	Transfer Inquiry to GAU	0
11	08-03-2004	Application Return from OIPE	0
10	08-03-2004	Application Return TO OIPE	0
9	08-02-2004	Application Dispatched from OIPE	0
8	08-03-2004	Application Is Now Complete	0
7	07-06-2004	Additional Application Filing Fees	0
6	07-06-2004	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applic	0
5	05-07-2004	Notice Mailed--Application Incomplete--Filing Date Assigned	0
4	03-17-2004	Cleared by OIPE CSR	0
3	03-17-2004	CASE CLASSIFIED BY OIPE	0
2	02-19-2004	IFW Scan & PACR Auto Security Review	0
1	02-06-2004	Initial Exam Team nn	0
0.5	02-06-2004	Filing date	0

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